

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

FREDDIE SINKLER, :
Plaintiff, : Civil No. 3:12-CV-455
v. :
UNITED STATES OF AMERICA, et al., : (Judge Kosik)
Defendants. :

**FILED
SCRANTON**

JUN 13 2012

PER M. E. P.
DEPUTY CLERK

ORDER

AND NOW, THIS 13 DAY OF JUNE, 2012, IT APPEARING TO THE
COURT THAT:

(1) Plaintiff, Freddie Sinkler, was one of six inmates housed in the United States Penetentiary-Canaan, who brought the instant action pursuant to the Federal Tort Claims Act, 28 U.S.C. §2401, 2675 et. seq., alleging that the prison negligently served tainted chicken that caused plaintiffs to become ill;

(2) While five of the plaintiff's appear to be actively pursuing the instant action, plaintiff, Sinkler, failed to sign the amended complaint and he has failed to respond to several directives from this court. Moreover, correspondence from the court has been returned as undeliverable and plaintiff Sinkler has failed to provide the court with an alternative address;

(3) On May 24, 2012, Magistrate Judge Martin C. Carlson filed a Report and Recommendation recommending that plaintiff, Sinkler, be dismissed from this action without prejudice (Doc. 61);

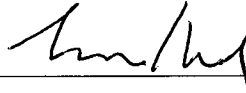
(4) Having reviewed the Magistrate Judge's Report, we agree with his recommendation;

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

(1) The Report and Recommendation of Magistrate Judge Martin C. Carlson dated May 24, 2012 (Doc. 61) is **ADOPTED**;

(2) Plaintiff, Freddie Sinkler, is **DISMISSED** from the instant action without prejudice; and

(3) The above-captioned action is **REMANDED** to the Magistrate Judge for further proceedings.

A handwritten signature in black ink, appearing to read 'Edwin M. Kosik', is written over a horizontal line.

Edwin M. Kosik
United States District Judge